

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

In re: William M. Webster
Laura L. Webster

Chapter 13
Case No.: 23-11173

REQUEST TO AMEND UNCONFIRMED CHAPTER 13 PLAN

1. This request to amend an unconfirmed Chapter 13 Plan supersedes all prior requests to amend the Plan and includes all proposed amendments. Terms not fully stated here or in the original Plan are not part of the Plan.

2. Service: A certificate of service must be filed with this request for plan amendment, together with the amended Western Wisconsin Local Form 3015-1.1.

3. Designate one of the following:

 X A copy of this proposed amendment has been served on the parties (the debtor, the trustee, the United States Trustee and all creditors) as required by Fed. R. Bank. P. 3015(g); or

 A motion requesting limited service is being filed simultaneously with the Court.

4. I request the following amendment of the Chapter 13 Plan filed with the Court:

Section II, A Monthly Plan Payment:

The total amount of estimated payments to the trustee: \$106,680.00

All remaining terms of the original Chapter 13 plan are unaffected. In the event of a conflict between the terms of the original Plan and the terms of this amendment, the terms of this amendment will control.

WHEREFORE, each Debtor requests the Court approve this proposed amendment to the original Chapter 13 Plan.

UNITED STATES BANKRUPTCY COURT, WESTERN DISTRICT OF WISCONSIN

www.wiwb.uscourts.gov

CHAPTER 13 PLAN (Individual Adjustment of Debts)

- ☐ _____ Original Plan
- ☒ 1st _____ Amended Plan (Indicate 1st, 2nd, etc. Amended, if applicable)
- ☐ _____ Modified Plan (Indicate 1st, 2nd, etc. Modified, if applicable)

DEBTOR: William M. Webster JOINT DEBTOR: Laura L. Webster CASE NO.: 23-11173

SS#: xxx-xx- 7883

SS#: xxx-xx-2715

I. NOTICES

- To Debtors: Plans that do not comply with local rules and judicial rulings may not be confirmable. All plans, amended plans and modified plans shall be served upon all creditors and a certificate of service filed with the Clerk pursuant to Local Rules 3015-1, 3015-2, and 3015-3.
- To Creditors: Your rights may be affected by this plan. You must file a timely proof of claim in order to be paid. Your claim may be reduced, modified or eliminated.
- To All Parties: The plan contains no nonstandard provisions other than those set out in paragraph VIII. Debtor(s) must check one box on each line listed below in this section to state whether the plan includes any of the following:

| | | |
|--|--|--|
| The valuation of a secured claim, set out in Section III, which may result in a partial payment or no payment at all to the secured creditor | <input checked="" type="checkbox"/> Included | <input type="checkbox"/> Not included |
| Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section III | <input type="checkbox"/> Included | <input checked="" type="checkbox"/> Not included |
| Nonstandard provisions, set out in Section VIII | <input type="checkbox"/> Included | <input checked="" type="checkbox"/> Not included |

TO ALL PARTIES:

Unless otherwise provided for in this plan, the Trustee shall disburse payments in the following order: administrative expenses including trustee and attorney fees, secured claims, priority claims, general unsecured claims.

II. PLAN PAYMENTS, LENGTH OF PLAN AND DEBTOR(S)' ATTORNEY'S FEE

- A. MONTHLY PLAN PAYMENT:** This Plan pays for the benefit of the creditors the amounts listed below, including trustee's fees beginning 30 days from the filing/conversion date. Debtor(s) will make payments by employer wage order, unless otherwise specified herein. The payments must be made for the Applicable Commitment Period, either 36 or 60 months, or for a shorter period that is sufficient to pay allowed nonpriority unsecured claims in full.

1. \$1,778.00 for 60 months;
2. \$0.00 for 0 months;
3. \$0.00 for _____ months;
4. \$0.00 for _____ months;
5. \$0.00 for _____ months;
6. \$0.00 for _____ months;
7. \$0.00 for _____ months;

The total amount of estimated payments to the trustee: \$106,680.00

B. DEBTOR(S)' ATTORNEY'S FEE:

☐ NONE ☐ PRO BONO

Total Fees: \$4500.00 Total Paid: \$0.00 Balance Due: \$4500.00
 Payable \$0.00 /month (Months to)

III. TREATMENT OF SECURED CLAIMS**A. SECURED CLAIMS:** ☐ NONE

[Retain Liens pursuant to 11 U.S.C. §1325 (a)(5)] Mortgage(s)/Lien on Real or Personal Property:

| | |
|--|---|
| 1. Creditor: <u>Citizens Bank NA</u> | |
| Address: <u>PO Box 2800</u> <u>Glen Allen, VA 23059</u> | Arrearage/ Payoff on Petition Date <u>60,000 / 266,351.77</u> [Select Payment Type] <u>\$0.00</u> /month |
| Account No.: _____ | |
| Other: <u>Arrears paid at 0% interest, pro rata</u> | |
| <input checked="" type="checkbox"/> Real Property <div style="float: right; text-align: right;">Check one below for Real Property:</div> <div style="clear: both;"></div> <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Principal Residence <input type="checkbox"/> Other Real Property </div> <div> <input checked="" type="checkbox"/> Escrow is included in the regular payments <input type="checkbox"/> The debtor(s) will pay <input type="checkbox"/> taxes <input type="checkbox"/> insurance directly </div> </div> | |
| Address of Collateral: <u>2339 Monroe St</u> <u>Madison, WI 53711</u> | |
| <input type="checkbox"/> Personal Property/Vehicle | |
| Description of Collateral: _____ | |
| 2. Creditor: <u>Dane County Treasurer</u> | |
| Address: <u>P.O. Box 1299</u> <u>Madison WI 53701</u> | Arrearage/ Payoff on Petition Date <u>\$402.52</u> [Select Payment Type] <u>\$0.00</u> /month |
| Account No.: _____ | |
| Other: <u>Real Estate Taxes - Paid at 12% interest, pro rata</u> | |
| <input checked="" type="checkbox"/> Real Property <div style="float: right; text-align: right;">Check one below for Real Property:</div> <div style="clear: both;"></div> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Principal Residence <input type="checkbox"/> Other Real Property </div> <div> <input type="checkbox"/> Escrow is included in the regular payments <input type="checkbox"/> The debtor(s) will pay <input type="checkbox"/> taxes <input type="checkbox"/> insurance directly </div> </div> | |
| Address of Collateral: <u>2339 Monroe St</u> <u>Madison, WI 53711</u> | |
| <input type="checkbox"/> Personal Property/Vehicle | |
| Description of Collateral: _____ | |

B. VALUATION OF COLLATERAL: ☐ NONE

IF YOU ARE A SECURED CREDITOR LISTED BELOW, THE PLAN SEEKS TO VALUE THE COLLATERAL SECURING YOUR CLAIM IN THE AMOUNT INDICATED. A SEPARATE MOTION WILL ALSO BE SERVED UPON YOU PURSUANT TO BR 7004 AND LR 3015-1.

1. REAL PROPERTY: ☒ NONE2. VEHICLES(S): ☐ NONE

| | | |
|---|---|--|
| 1. Creditor: <u>Santander Consumer USA</u> Address: <u>1601 Elm Street, Suite 800</u> <u>Dallas TX 75201</u> Account No.: <u>9135</u> VIN: <u>5UXKR0C59H0U51816</u> Description of Collateral: <u>2019 BMW</u> Check one below: <input checked="" type="checkbox"/> Claim incurred 910 days or more pre-petition <input type="checkbox"/> Claim incurred less than 910 days pre-petition | Value of Collateral: <u>\$23,000.00</u> Amount of Creditor's Lien: <u>\$34,096.63</u> Interest Rate: <u>8.25%</u> | Payment Total paid in plan: <u>\$28,146.60</u> <u>\$469.11</u> /month Adequate Protection Payment: <u>\$0.00</u> Equal Monthly Payment: <u>\$0.00</u> |
|---|---|--|

3. PERSONAL PROPERTY: ☒ NONE**C. LIEN AVOIDANCE** ☐ NONE

- ☒ Judicial liens or nonpossessory, nonpurchase money security interests securing the claims will be avoided to the extent that they impair the exemptions under 11 U.S.C. § 522 as listed below. A separate motion will also be served pursuant to BR 7004 and LR 3015-1.

| | |
|--|---|
| 1. Creditor: _____ Address: _____ Account No.: _____ | Collateral: _____ Exemption: _____ |
|--|---|

D. SURRENDER OF COLLATERAL: Secured claims filed by any creditor granted stay relief in this section shall not receive a distribution from the Chapter 13 Trustee.☒ NONE**E. DIRECT PAYMENTS SECURED CLAIMS:**☐ NONE

- ☒ The debtor(s) elect to make current payments directly to each secured creditor listed below. Nothing herein is intended to terminate or abrogate the debtor(s)' state law contract rights.

| | <u>Name of Creditor</u> | <u>Last 4 Digits of Account No.</u> | <u>Description of Collateral (Address, Vehicle, etc.)</u> |
|----|-------------------------|-------------------------------------|---|
| 1. | Citizens Bank | | 2339 Monroe St. Madison, WI 53711 |
| 2. | UW Credit Union | 9203 | 2339 Monroe St. Madison, WI 53711 |

IV. TREATMENT OF FEES AND PRIORITY CLAIMS [as defined in 11 U.S.C. §507 and 11 U.S.C. § 1322(a)(4)]**A. ADMINISTRATIVE FEES OTHER THAN DEBTORS(S)' ATTORNEY'S FEE:** ☒ NONE**B. PRIORITY TAX CLAIMS:** ☒ NONE**C. DOMESTIC SUPPORT OBLIGATION(S):** ☒ NONE**D. OTHER:** ☒ NONE**V. TREATMENT OF UNSECURED NONPRIORITY CREDITORS****A.** Pay \$0.00 /month

Pro rata dividend will be calculated by the Trustee upon review of filed claims after bar date.

B. ☐ If checked, the Debtor(s) will amend/modify to pay 100% to all allowed unsecured nonpriority claims.**C. SEPARATELY CLASSIFIED:** ☐ NONE

1. Name of Creditor: Educators Credit UnionPayment Address: 1326 Willow Road, Mt. Pleasant, WI 53177Account No.: 7380Basis for Separate Classification 1322(b)(1) Joint Debtor's Mother is co-signer on loanPayable \$60.58 /month

*Debtor(s) certify the separate classification(s) of the claim(s) listed above will not prejudice other unsecured nonpriority creditors pursuant to 11 U.S.C. § 1322.

VI. EXECUTORY CONTRACTS AND UNEXPIRED LEASES: Secured claims filed by any creditor/lessor granted stay relief in this section shall not receive a distribution from the Chapter 13 Trustee.

☐ NONE

☒ Unless provided for under a separate section, the debtor(s) request that upon confirmation of this plan, the automatic stay be terminated in rem as to the debtor(s) and in rem and in personam as to any codebtor(s) as to these creditors/lessors. Nothing herein is intended to terminate or abrogate the debtor(s)' state law contract rights.

Name of CreditorCollateralAcct. No.Assume/Reject

AT&T

Cell Phone Contract

1.

☒ Assume ☐ Reject

VII. INCOME TAX RETURNS AND REFUNDS: ☐ NONE

☒ Debtor(s) will not provide tax returns unless requested by any interested party pursuant to 11 U.S.C. § 521.

☐ The debtor(s) is hereby advised that the chapter 13 trustee has requested that the debtor(s) comply with 521(f) 1-4 on an annual basis during the pendency of this case. The debtor(s) will not provide tax returns unless requested by any interested party pursuant to 11 USC 521. If returns are requested, the debtor(s) hereby acknowledge that the deadline for providing the Trustee with their filed tax returns is on or before May 15 of each year the case pending.

VIII. NON-STANDARD PLAN PROVISIONS ☒ NONE

PROPERTY OF THE ESTATE WILL VEST IN THE DEBTOR(S) UPON PLAN CONFIRMATION.

I declare that the foregoing chapter 13 plan is true and correct under penalty of perjury.

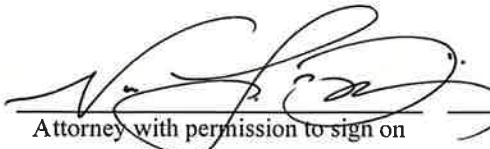
DebtorJoint Debtor

William M. Webster

Date

Laura L. Webster

Date


Attorney with permission to sign on
Debtor(s)' behalf

8/1/23
Date

By filing this document, the Attorney for Debtor(s) or Debtor(s), if not represented by counsel, certifies that the wording and order of the provisions in this Chapter 13 plan are identical to those contained in Local Form Chapter 13 Plan and the plan contains no nonstandard provisions other than those set out in paragraph VIII.

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

In Re:

William M Webster
Laura L Webster

Case No. 23-11173

Debtor(s)

**NOTICE OF DEBTORS' REQUEST TO AMEND UNCONFIRMED
CHAPTER 13 PLAN**

PLEASE TAKE NOTICE that the above-named Debtors, William & Laura Webster, by their attorneys, Krekeler Law, S.C., have filed papers with the Court requesting to amend their unconfirmed Chapter 13 Plan, a copy of which is attached hereto and incorporated herein.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to eliminate or change your claim, then on or before **twenty-one days (21 Days)** from the date of this Notice you or your attorney must:

File with the court a written objection and request for hearing, explaining your objection to Debtors' Request to Amend Unconfirmed Chapter 13 Plan at:

United States Bankruptcy Court
120 North Henry Street
Madison, WI 53703

If you mail your objection to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:


Attorney Noe J. Rincon
Krekeler Law S.C.
26 Schroeder Ct., Ste. 300
Madison, WI 53711

U.S. Trustee
780 Regent Street, Suite 304A
Madison, WI 53715

If you or your attorney does not take these steps, the court may decide that you do not oppose the Debtors' Request to Amend Unconfirmed Chapter 13 Plan and, therefore, may enter an order granting said Amended Chapter 13 Plan.

Dated this 1st day of August, 2023.

KREKELER LAW, S.C.

By: 
Noe J. Rincon
State Bar No. 1124893
Attorneys for Debtors,
William & Laura Webster

ADDRESS:
26 Schroeder Ct., Ste. 300
Madison, WI 53711
(608) 258-8555
nrincon@ks-lawfirm.com

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

In Re:

William M Webster
Laura L Webster

Case No. 23-11173

Debtor(s)

AFFIDAVIT OF MAILING

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

The undersigned, being first duly sworn on oath, deposes and says that on the August 1, 2021, the undersigned electronically filed with the U.S. Bankruptcy Court Western District the Debtor's Request to Amend Unconfirmed Chapter 13 Plan, Notice of Request and Amended Chapter 13 Plan and the following received Notice via ECF:

Office of the United State Trustee
780 Regent Street, Suite 304A
Madison, WI 53715

Trustee Mark Harring
131 W Wilson St Ste 1000
Madison, WI 53703-3260


The undersigned, being first duly sworn on oath, deposes and says that on the August 1, 2021, the undersigned mailed, properly enclosed in a postpaid envelope, a copy of the Debtor's Request to Amend Unconfirmed Chapter 13 Plan, Notice of Request and Amended Chapter 13 Plan to all on the attached list and to:

William & Laura Webster
2339 Monroe St.
Madison, WI 53711



Eddie Sanchez

Subscribed and sworn to before me
This 1st day of August, 2021



Rebecca Isige, Notary Public,
State of Wisconsin
My commission expires: 8/16/2021

Label Matrix for local noticing
0758-3
Case 3-23-11173-cjf
Western District of Wisconsin www.wiwb.uscour
Madison
Tue Aug 1 09:35:45 CDT 2023

Capital One
ATTN: Bankruptcy Dept
P.O. Box 30285
Salt Lake City, UT 84130-0285

AT&T
Bankruptcy Department
P.O. Box 769
Arlington, TX 76004-0769

(p)ASHLEY NELSON
ATTN JILLIAN CAGGIANO
225 S EXECUTIVE DRIVE
SUITE 201
BROOKFIELD WI 53005-4257

CareCredit
P.O. Box 965035
Orlando, FL 32896-5035

Citizens Bank NA
PO Box 2800
Glen Allen, VA 23058-2800

Citizens Bank, N.A. f/k/a RBS Citizens N.A
c/o Codilis, Moody & Circelli, P.C.
15W030 North Frontage Road, Suite 200
Burr Ridge, IL 60527-6921

Codilis, Moody, & Circelli PC
10437 Innovation Dr Ste 253
Milwaukee, WI 53226-4839

Matthew L. Comella
Codilis, Moody, & Circelli, PC
10437 Innovation Dr Ste 253
Milwaukee, WI 53226-4839

Dane County Clerk of Circuit Court
215 South Hamilton Street
Room 1000
Madison, WI 53703-3285

Dane County Treasurer
P.O. Box 1299
Madison, WI 53701-1299

(p)DELL FINANCIAL SERVICES
P O BOX 81577
AUSTIN TX 78708-1577

(p)EDUCATORS CREDIT UNION
ATTN BANKRUPTCY DEPT
1326 WILLOW ROAD
MOUNT PLEASANT WI 53177-1917

(p)MARK HARRING
ATTN STANDING TRUSTEE
122 WEST WASHINGTON AVENUE SUITE 500
MADISON WI 53703-2758

IRS - Centralized Insolvency Operations
P.O. Box 7346
Philadelphia, PA 19101-7346

Madison Pediatric Dental & Orthodontics
100 River Pl #110
Madison, WI 53716-4027

Net Credit
PO Box 206766
Dallas, TX 75320-6766

ONEMAIN
P.O. BOX 3251
EVANSVILLE, IN 47731-3251

Office of the United States Trustee
780 Regent Street
Suite 304
Madison, WI 53715-2635

OneMain Financial Group, LLC
601 NW Second Street
Evansville, IN 47708-1013

Quantum3 Group LLC as agent for
Credit Corp Solutions Inc
PO Box 788
Kirkland, WA 98083-0788

Noe Joseph Rincon
Krekeler Law S.C.
26 Schroeder Court, Suite 300
Madison, WI 53711-2503

Santander Consumer USA
1601 Elm Street, Suite 800
Dallas, TX 75201-7260

Santander Consumer USA Inc
P.O. Box 560284
Dallas, TX 75356-0284

Secretary of Treasury
Treasury Department
1500 Pennsylvania Avenue N.W.
Washington, DC 20220-0001

Securities and Exchange Commission
175 West Jackson Boulevard
Suite 900
Chicago, IL 60604-2908

U.S. Trustee's Office
780 Regent Street, Suite 304
Madison, WI 53715-2635

UW Credit Union
PO Box 44963
Madison, WI 53744-4963

UW Health
PO Box 620993
Middleton, WI 53562-0993

United States Treasury
Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Unity Point Health
1776 West Lakes Parkway
Suite 400
West Des Moines, IA 50266-8378

UnityPoint Health
PO Box 35758
Des Moines, IA 50315-0307

Upstart
PO Box 1503
San Carlos, CA 94070-7503

Upstart Network, Inc
PO BOX 1931
Burlingame, CA 94011-1931

Laura L Webster
2339 Monroe St
Madison, WI 53711-1978

William M Webster
2339 Monroe St
Madison, WI 53711-1978

Wisconsin Department of Revenue
Special Procedures Unit
P.O. Box 8901
Madison, WI 53708-8901

Wisconsin Department of Revenue
ATTN: Bankruptcy Unit, MS 5-144
PO Box 8901
Madison, WI 53708-8901

Wisconsin Dept. of Workforce Development
Division of Unemployment Insurance
P.O. Box 8914
Madison, WI 53708-8914

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Attorney Ashley M. Nelson
Dobberstein Law Firm LLC
225 S Executive Dr Ste 201
PO Box 470
Brookfield, WI 53008

Dell Financial Services
PO Box 81577
Austin, TX 78708-1577

(d)Dell Financial Services, LLC
Resurgent Capital Services
PO Box 10390
Greenville, SC 29603-0390

Educators Credit Union
1326 Willow Road
Mount Pleasant, WI 53177

(d)Educators Credit Union
Attn: Bankruptcy Dept
1326 Willow Rd
Mt Pleasant, WI 53177

Mark Harring
122 West Washington Ave.
Suite 500
Madison, WI 53703-2578

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Kathleen Pichotta

| | |
|---------------------|----|
| End of Label Matrix | |
| Mailable recipients | 38 |
| Bypassed recipients | 1 |
| Total | 39 |